

support that idea. There are, however, several ideas in the amendment, and the more basic one is the move from mandatory to voluntary. I want to signal that I think Jerry Miller is in good faith trying to work on this bill, and there are elements of what he suggests that I like. That idea, moving from the AG to the Department of Agriculture, is a good one and I want to vote for it. But I want to talk a little bit about the bigger question in mediation and then also what direction the Miller amendment is taking. This, by the way, is my bailiwick, this is what I teach, this is what I know about, mediation, negotiation, and it is what I do, in part, legislatively and elsewhere. Generally speaking, mediators are the product of a voluntary association. However, in some cases, you just can't get to that situation, and in farm mediation bills around the country, the ones that are voluntary aren't used, they just aren't used. And I'll tell you why, because the parties are not speaking to each other. The farmer won't come in to talk to the banker, the banker is suspicious of the farmholder at that point, and they've really broken off communication, generally. At that point, the farmer has only the alternative of Chapter 12, and most everybody who services the farm area says that Chapter 12 is a difficult format, it's hard for the banks, it's also hard for all of the supportive agricultural industries who also get dragged into the Chapter 12 workout. The people...farmers don't mind Chapter 12, they like Chapter 12, but the rest of the agricultural sector really don't, they don't like Chapter 12. Oddly enough, here is a way to see to it that people can work out their problems rather than use Chapter 12, which is the big bugaboo for most lenders, but the lenders don't support the idea. Relief, in this case, is appropriate because you've got an embattled sector of the economy out there. Secondly, you've got a sector of the economy in which these relationships really have broken down, they are no longer good working relationships between the farmer and the banker. I ask you if you are not familiar, in your own circumstances, of bringing two people that aren't speaking to each other together, sitting them down and you asking questions of each of them and when they get done telling you what they think is the situation, that they are not directly contradictory, but they've had enough suspicion and fear that they've broken off communication and through your questioning you can see that it is possible to find a middle ground, that if maybe there is an additional asset that can be pledged, if there is maybe a little draw-down on the interest rate, maybe a plan can be worked out. But, because they are not talking, they'll never find it. When you go to Chapter 12 they